

REMARKS

This amendment is offered in response to the Office Action of August 16, 2006. Upon entry of this amendment, Applicant respectfully requests reconsideration of the above referenced application. Claims 1-15 remain in the application. Claims 16-19 have been canceled.

Claim Rejections

Claims 1-15 were rejected under 35 U.S.C. 102(e) as being anticipated by Ballai, U.S. Patent #7,068,999 (*Ballai*). In response, Applicant respectfully traverses the rejection.

Ballai generally relates to a system and method for detecting an unauthorized access point accessing a communication network. As taught an authorized AP (such as AP 30 in Fig. 1) receives a beacon from another AP and verifies if the beacon is from an authorized AP (see 203 and 205 of Fig. 2). A record may be created as part of a “set trap” procedure for tracking a rogue AP (see col. 4, lns. 1-9).

In contradistinction to *Ballai*, however, claim 1 recites:

comparing at least a subset of information received from a wired network device with information previously stored to determine if a rogue access point is present.

Ballai contains no teaching or suggestion of comparing at least a subset of information received from a wired network device with information previously stored to determine if a rogue access point is present. In fact, *Ballai* teaches away from claim 1 by teaching that wireless information received is used directly by the access point to determine if a rogue access point is present. In this regard, *Ballai* doesn’t contemplate the use of a security manager (as opposed to the authorized AP) to determine if a rogue access point is present as taught in the present application.

Because *Ballai* fails to disclose each element of claim 1, Applicant respectfully requests that the §102(e) rejection of claim 1 be withdrawn. Applicant notes that independent claims 6 and 11 also contain the element of comparing at least a subset of information received from a wired network device with information previously stored to determine if a rogue access point is present and are also patentable for the reasons presented above in reference to claim 1. Accordingly, Applicant respectfully requests that the §102(e) rejection of claims 6 and 11 be withdrawn.

In further contradistinction to *Ballai*, claim 2 includes:

comparing at least a subset of information received in a security report from a legitimate access point with information previously stored to determine if a rogue access point is present.

Ballai contains no teaching or suggestion of comparing at least a subset of information received in a security report from a legitimate access point with information previously stored to determine if a rogue access point is present. In fact, *Ballai* teaches away from claim 2 by teaching that a report is generated only after a rogue access point has been identified and therefore can not be used to determine if a rogue access point is present.

Because *Ballai* fails to disclose each element of claim 2, Applicant respectfully requests that the §102(e) rejection of claim 2 be withdrawn. Applicant notes that claims 7 and 12 also contain the element of comparing at least a subset of information received in a security report from a legitimate access point with information previously stored to determine if a rogue access point is present and are also patentable for the reasons presented above in reference to claim 2. Accordingly, Applicant respectfully requests that the §102(e) rejection of claims 7 and 12 be withdrawn.

Applicant notes that claims 3-5, 8-10, and 13-15 depend from patentable base claims 1, 6 and 11, respectively, and are therefore patentable at least based upon their dependency. Accordingly, Applicant respectfully requests that the 102(e) rejections of claims 3-5, 8-10, and 13-15 be withdrawn.

Conclusion

In light of the foregoing arguments, Applicant respectfully submits that claims 1-15 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Date: 11/16/06

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